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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/298,282	04/23/1999	MUHAMMED IBRAHIM SEZAN	SLA0115	1864

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EXAMINER

BELIVEAU, SCOTT E

ART UNIT PAPER NUMBER

2614

DATE MAILED: 04/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

Office Action Summary

Application No.

09/298,282

Applicant(s)

SEZAN ET AL.

Examiner

Scott Beliveau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 April 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 6) ☐ Other: _____

Drawings

1. The drawings are objected to because of the reasons set forth on the attached PTO-948.

Applicant is required to submit a proposed drawing correction in reply to this Office action.

However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

2. The drawings are objected to because: Sheet 4 of 5 is missing a label to identify it as "Figure 4". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: The specification refers to item 49 as a "user", while the drawing labels item 49 as a "viewer" (Page 14, Line 10). Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 8-14 are rejected under 35 U.S.C. 102(a) as being anticipated by Sezan et al. (US Pat No. 6,236,395).

As to claim 8, note the Sezan et al. reference that discloses an audiovisual information system. The reference anticipates the claim by disclosing a system that may, for example, comprise a "receiver" used in a hotel room (Col 8, Lines 9-12) capable of operating upon a "digital television data broadcast service" [38] (Col 7, Lines 63-67). The receiver further comprises: a "filter module. . . " [52] used to extract program related information based on user preferences (Col 6, Lines 16-22; Col 9, Lines 9-12), a "navigation module. . . " which allows a user to browse, search, and filter program related information (Col 9, Lines 23-26, 54-56; Col 12, Lines 4-8), and a "summarizer. . . " component [42] which allows a user to create summaries of programs (Col 4, Lines 45-55).

The Sezan et al. reference anticipates claim 9. The disclosed "filter module. . . " is capable of generating within program-related information as disclosed through an example in which game highlights are generated using a knowledge based system [Col 8, Lines 32-37, Col 9/10, Lines 65-4].

In reference to claim 10, the disclosed embodiment "further comprises information for database indexing" and retrieval of audiovisual programming. Figure 2, illustrates a data storage unit [50], which may be used in conjunction with the filtering and browsing module [52] to be retrieved, stored/archived, and or viewed (Col 9, Lines 19-22).

With respect to claim 11, the Sezan et al. reference anticipates the claimed receiver wherein it "comprises a register of user preferences. . . " that are used "in generating said program-related information and said summaries." In particular, note that the reference states that the analysis module [42] uses user preferences as well as other information to generate summary information (Col 8, Lines 22-29).

In reference to claim 12, note the Sezan et al. reference that discloses an audiovisual information system. The reference anticipates the claim by disclosing an audiovisual program analysis module [42] that is capable of “filtering and generating summaries of audio visual programs” in conjunction with other components used to display the information to the user. The disclosed anticipated summarization module may contain a number of sub-modules comprising: “a description extraction module operable to parse and extract. . . “ program related descriptors to the description scheme generation module [44], “a program and system information extraction module. . . “ for extracting PSIP and DVB-SI information from the data sources (Col 8, Lines 21-29), “an inference engine. . . “ to combine audiovisual PSIP information with any other program related information such as viewer preferences (Col 7/8, Lines 63-1; Col 46-50), “a key clip extraction table. . . “ operable to extract key frames from a video program [76], and “a summary module operable to produce summaries. . . “ [78] in the form of program highlights (Col 8, Lines 49-55).

In reference to claim 13, the Sezan et al. anticipates that the “other available program information further comprises user preferences.” This information may include personal information as well as personal preferences (Col 5, Lines 37-46).

Claim 14 is anticipated by the aforementioned Sezan et al. reference because the teachings disclose that the “program information” may comprise web page or other suitable information downloaded from a web site (Col 5, Lines 25-29; Col 9/10, Lines 65-4).

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6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramaswamy (US Pat No. 6,295,647) in further view of Sezan et al. (US Pat No. 6,236,395).

As to claim 1, note the Ramaswamy reference, which discloses a digital television executable code context duration management system. The disclosed embodiment of Figure 1 invention meets the claimed "digital television data broadcast service comprising": "a data service authoring subsystem" (context editor [110]), "a data service encoder" (data encoder [130]), and "a multiplexer" (MUX (140)). While the reference discloses the system in the claimed material, Ramaswamy does not teach that the context editor [110] is utilized to "identify key clips of audiovisual information." (Col 3, Lines 17-34) The Sezan et al. reference, however teaches us that description schemes include auxiliary program

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information that can be used for filtering, searching, archiving, and personalization (Col 4, Lines 25-33). It would have been obvious to one of ordinary skill in the art to utilize the teachings of Sezan et al. regarding the types of information that can be inserted into a program stream with the disclosed context editor [110] of Ramaswamy in order to “provide an interactivity not previously achievable”.

In reference to claims 2-4, the context editor may utilize either “system time” or “Program Clock References” to determine the context start time and duration. While not illustrated in the Ramaswamy embodiment, it would be obvious to one of ordinary skill in the arts that the “video reference generator” is included for the purposes of referencing video frames and real time clock PCR information (Col 3, Lines 44-62). Similarly, it would have been obvious to one of ordinary skill in the art to utilize the teachings of aforementioned combination of the Sezan et al. and Ramaswamy in order to encapsulate the key clip data.

In reference to claim 5, the Ramaswamy reference discloses that the context editor does not have to include a specific start time for data stream packets (Col 5, Lines 17-24). It would have been obvious to one of ordinary skill in the art to utilize the teachings of aforementioned combination of the Sezan et al. and Ramaswamy to use the context editor to identify MPEG-2 sequences using start/stop flags or “triggers”.

In reference to claim 6, note the Sezan et al. reference teaches that information within the program description scheme may contain information regarding the duration and terms of the number of frames featuring a particular object (Col 5, Lines 16-25). Ramaswamy similarly teaches of the use of “starting and ending references” as illustrated in Figure 4, item 430. It would have been obvious to one of ordinary skill in the art to utilize the teachings of

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aforementioned combination of the Sezan et al. and Ramaswamy in order to define sequences using a start and stop reference.

In reference to claim 7, note the Sezan et al. reference, which teaches that program views define the logical structure of the video frames, and may further identify segment definitions between shots, highlight definitions, video summary definitions, and groupings of different events (Col 4, Lines 45-66). It would have been obvious to one of ordinary skill in the art to utilize the teachings of aforementioned combination of the Sezan et al. and Ramaswamy in order to further define the information within a clip for the purposes of increased viewer efficiency.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The SMASH – Final Report (Public Report) illustrates research and a number of published articles that discuss a system capable of recording and retrieving satellite transmitted MPEG-2 video. The received content be summarized using a variety of techniques not limited to the insertion of metadata within the DVB-SI tables.

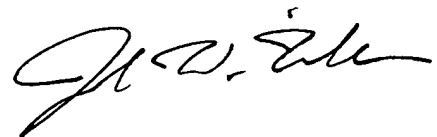
SMASH - A Concept for Advanced Use of Storage in the Home (Persoon, Eric H.J) further illustrates the SMASH project including anticipated uses and content and service provider application. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 703-305-4907. The examiner can normally be reached on Monday-Friday from 8:00 a.m. - 5:30 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

SEB
April 8, 2002

A handwritten signature in black ink, appearing to read "J.W. Miller", is positioned above the printed name and title.

**JOHN W. MILLER
PATENT EXAMINER**